



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, May 13, 2014

5:00 p.m. Closed Session

7:00 p.m. Public Session

333 East 8th Street

Oakland, CA 94606

Welcome to a meeting of the Peralta Community College District Board of Trustees. Meetings of the Peralta Community College District Governing Board are Broadcast Live on Peralta TV – Cable Channel 27 – Alameda and Berkeley, Cable Channel 28 – Oakland, Emeryville, and Piedmont. Listed agenda times are estimates. Live stream video of the meetings, agendas, minutes, and all open session reports and meeting materials are available for viewing on Granicus:

Link on the Peralta Board Website: <http://web.peralta.edu/trustees/meetings-votelog/>

PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!

AGENDA

CALL TO ORDER (7:00 p.m.)

CLOSED SESSION (5:00 p.m.)

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

- Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152
- Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.
- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.

- Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.
- Conference with Legal Counsel (54956.9(a)), Liao v. PCCD, Alameda County Superior Court Case No. RG14717733
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (8 cases).

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957).

- Consider appointment of Director of Institutional Research, District Office
- Consider appointment of Interim Director of Student Activities, Merritt College.
- Consider appointment extension of Interim Director of Human Resources, District Office
- Consider appointment extension of College President, Laney College.
- Consider appointment of Dean of Special Programs and Grants, College of Alameda
- Consider appointment of Vice President of Instruction, College of Alameda
- Consider appointment of Vice President of Instruction, Berkeley City College
- Consider ratification of the Chancellor's approval to appoint Interim Dean of Workforce Development and Applied Sciences, Merritt College.

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

ROLL CALL Trustees Brown, Pr_ Ab_, González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Clegg Pr_ Ab_ and Li Pr_ Ab_.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

(Any public employee contracts are subject to contractual agreement by the Chancellor, and provided salaries are for informational purposes only.)

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board. The Board may move to the Action Calendar items with public speakers.

APPROVAL OF THE MINUTES (7:03 P.M.)

- 1. Consider Approval of the Regular Board meeting Minutes of April 8, 2014.

Consider approval of the regular Board meeting minutes of April 8, 2014. The minutes are posted on Granicus.

PUBLIC COMMUNICATION (7:05 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board’s jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (up to 3 minutes per individual) will be provided for speakers under this agenda section, at the Board President’s discretion. A speaker’s card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board’s consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker up to a limit of 6 additional minutes, with no more than 5 speakers on the issue, where both have completed a speaker’s card, and the yielder must identify him/herself to the Board. Speakers are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.) Further direction is provided in Board Policy and Administrative Procedure 2345 Public Participation at Board Meetings. <http://web.peralta.edu/trustees/board-policies/>

REPORTS (7:20 P.M.)

The Board requests that constituent group reports and presentations be brief and concise, and that only electronic copies be provided for posting. All open session reports and meeting materials have been submitted to the Board electronically, and are available for public viewing on Granicus.

- 2. Associated Student Government Reports

Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

- 3. Chancellor’s Reports

Chancellor’s Report Dr. José M. Ortiz

Deputy Chancellor’s Report John Hendrickson

Vice Chancellor’s Reports

Budget Update Interim Vice Chancellor Rinne
Enrollment and Vice Chancellor Orkin
Student Services Update
General Services Vice Chancellor Ikharo
Human Resources Vice Chancellor Largent

College Reports

Berkeley City College	President Budd
College of Alameda	Interim President Gravenberg
Laney College	President Webb
Merritt College	President Ambriz-Galaviz

4. Board of Trustees' Reports

At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. District Academic Senate Report **Presenter: DAS President Karolyn van Putten**

PRESENTATIONS (7:30 P.M.)

6. Peralta Comprehensive Master Plan Status Report **Presenter: Deputy Chancellor John Hendrickson**

The Board of Trustees approved a contract with Collaborative Brain Trust on April 8, 2014 for consulting services necessary for completion of a Peralta Community College District Comprehensive Master Plan. The Brain Trust has completed Phase 1 of the contract and will provide an update on their progress to date. Dr. Frances White, lead consultant, will review the status of this important project.

7. Merritt College Integrated Learning – Food Matters Program of Distinction Presentation **Presenter: President Ambriz-Galaviz (15 minutes)**

Through the sponsorship of Title III, several academic disciplines of Merritt College collaborated and embraced teaching and learning with an integrative approach across multiple disciplines within the academic year. The selected topic of integration was **Food**. Over 17 instructors from various departments volunteered to participate in this campus-wide examination and integration of knowledge about *food* from different theoretical perspectives and applied exercises. The event culminated into an afternoon session of displays and celebration of teaching and learning for all on April 22, 2014 with over 200 attendees.

Examples from the following departments will be presented to the Board of Trustees; Chemistry, Medical Assisting and Child Development.

CONSENT CALENDAR (8:00 P.M.)

All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board’s vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

BOARD MATTERS

8. Consider approval of Resolution 13/14-61 in support of Measure AA - Committee for a Healthy Alameda County **Presenter: Chancellor Ortiz**

Consider approval of Resolution 13/14-61 in support of Measure AA – Committee for a Healthy Alameda County. The Chancellor recommends approval.

9. Consider Approval of *ratification* for Out of State Travel pursuant to Board Policy 7400 **Presenter: Chancellor Ortiz**

Consider approval of *ratification* for Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Laura Ruberto	New Orleans, LA	October 3, 2013 – October 6, 2013
Peter Crabtree	Albuquerque, NM	March 26, 2014 – March 29, 2014
Hollie Hardy	Seattle, WA	February 26, 2014 – March 2, 2014

10. Consider Approval of Out of State Travel pursuant to Board Policy 7400 **Presenter: Chancellor Ortiz**

Consider approval of Out of State Travel pursuant to Board Policy 7400 for the following faculty:

Name	Travel Location	Travel Dates
Jennifer Yates	Chicago, IL	May 14, 2014 – May 16, 2014
Jennifer Yates	Profidence, RI	July 16, 2014 – July 19, 2014
Burt Dragin	Washington, D.C.	May 18, 2014 – May 23, 2014

EDUCATIONAL AND STUDENT SERVICES

11. Consider Approval of Course and Program Additions, Deactivations and Changes
Presenter: Vice Chancellor Orkin

Included for approval are proposed curriculum actions as recommended by the Council for Instruction, Planning and Development (CIPD). The spreadsheet entitled “CIPD April 7, 2014” contains course and program additions, changes and deactivations as approved by the colleges’ curriculum committees and CIPD. The Chancellor recommends approval.

12. Consider Approval of Sabbatical Leaves for 2014-2015 **Presenter: Vice Chancellor Orkin**

The Colleges have completed their 2013-14 cycle of evaluation and consideration of Sabbatical Leave applications for leaves to be taken during the 2013-14 academic year. Per the College Presidents, the following tenured faculty members have been granted Sabbatical Leaves for 2013-14 as follows:

Berkeley City College:

Katherine Kocel	Psychology	Fall 2014
-----------------	------------	-----------

College of Alameda:

Diana Bajrami	Distance Education	Fall 2014
---------------	--------------------	-----------

Laney College:

Mark J. Rauzon	Geography	Fall 2014
Anna Beavers	Business	Spring 2015
Barbara Yasue	ESL	Spring 2015

Merritt College:

Siri Brown	African American Studies	Spring 2015
Isela González Santana	English	Fall 2014

The Office of the Vice Chancellor of Educational Services has reviewed and forwarded to the Chancellor and to Board the above named faculty who have been granted Sabbatical Leaves by the Colleges to be taken during the 2014-15 academic year. Each faculty member taking said leave is required to complete a Sabbatical Leave Report upon completion of the leave and return to the College.

13. Consider approval of CalWORKs Addendum Form # 1 for ICC No. 10277 with Bananas Inc. Childcare Services. Presenter: President Budd

Berkeley City College CalWORKs Program requests to increase ICC No. 10277 with Bananas Inc. childcare services, vendor No.0000503470, by \$10,975.00. The initial contract (No. 10277) with Bananas Inc. was for \$35,000.00. Due to the increase use of childcare services by CalWORKs students the total cost of the service is projected to exceed \$35,000.00. Additional \$10,975.00 is needed so that child care service will continue uninterrupted. The new final amount of the ICC No. 10277 will be \$45,975.00.

14. Consider approval of a contract addendum for Stephanie Green in the amount of \$3,000 Presenter: President Budd

Consider approval of a contract addendum for Stephanie Green in the amount of \$3,000, (total contracted amount increased to not exceed \$33,600 for the 2013-14 fiscal year ending 30 June 2014) for workforce and professional development services for Berkeley City College's Public Health and Services Learning Community in fulfillment of the project objectives of the Career Advancement Academy grant. This addendum was required by the receipt, approval, and loading of the Career Advancement Academy grant after the creation of the original contract in late Fall 2013 with Carl D. Perkins CTE grant funding. **Funding Source: Career Advancement Academy Grant**

15. Consider approval of contract for Bond Counsel services with Orrick, Herrington and Sutcliff. Presenter: Deputy Chancellor Hendrickson

Peralta Community College District solicited requests for qualifications from firms to provide services for Bond Counsel for the General Obligation Bond program, Other Post-Employment Benefit Program, and other types of transactions for a period of three years. In addition to legal and tax expertise, the PCCD requested qualifications and experience from firms with general securities experience.

The RFP was sent to a broad range of law firms (20) selected from the Red Book – the municipal's industry encyclopedia of consultants. The District received 6 responses from the following firms: Meyer Navel, Schiff Hardin, Norton Rose Fulbright (formerly Fulbright Jaworski), Nixon Peabody, Orrick Herrington Sutcliffe, and Stradling Yocca Carlson & Rauth.

Orrick Herrington and Sutcliffe in San Francisco exhibited across the board experience in all type of bonds in California: general obligation bonds, BANs, and TRANS, as well as a strong team for pension obligations swaps and general securities advice. Orrick also offered a more specialized team of lawyers to address the District's different needs. Orrick Herrington & Sutcliffe is the recommended selection for Bond Counsel.

16. Consider approval of contracts for Disclosure Counsel services with Norton Rose Fulbright, Nixon Peabody, and Orrick. **Presenter: Deputy Chancellor Hendrickson**

Peralta Community College District solicited requests for qualifications from firms to provide Bond Disclosure Counsel services for the General Obligation Bond program, Other Post-Employment Benefit Program, and other types of transactions for a period of three years. In addition to legal and tax expertise, the PCCD requested qualifications and experience from firms with general securities experience.

The RFP was sent to a broad range of law firms (20) selected from the Red Book – the municipal’s industry encyclopedia of consultants. The District received 6 responses from the following firms: Meyer Navel, Schiff Hardin, Norton Rose Fulbright (formerly Fulbright Jaworski), Nixon Peabody, Orrick Herrington Sutcliffe, and Stradling Yocca Carlson & Rauth.

The breadth and depth of experience for disclosure counsel, Norton Rose Fulbright and Nixon Peabody, as well as Orrick were judged to be qualified for transactional work having completed numerous bond issuances in the past three years. Fulbright, Nixon both have lawyers that specialize in community colleges. The committee concluded that Orrick Herrington & Sutcliffe is the recommended selection for Bond Counsel and a combination of three firms recommend for selection for Disclosure Counsel: Norton Rose Fulbright, Nixon Peabody, and Orrick.

17. Consider approval of contracts for Underwriter services with Barclays, Piper Jaffray, Raymond James, Siebert and Stifel **Presenter: Deputy Chancellor Hendrickson**

Peralta Community College District solicited requests for qualifications for firms interested in providing underwriting services for the District’s General Obligation Bond Program, the Other Post- Employment Benefit Bond program, Tax and Revenue Anticipation notes and other possible financings. The RFQs were sent to 32 firms throughout the County as found in the Red Book. The District received 14 submissions.

The review committee recommends a pool of firms to create a diversified group to work in different combinations depending on the type of transaction and fees. Firms selected for underwriter services are: Barclays, Piper Jaffray, Raymond James, Siebert and Stifel.

18. Consider Approval to Increase the Contract Amount for Independent Air Quality Testing Services provided by Environmental Technical Services Inc. (ETS), Industrial Hygienists. **Presenter: Director Valentine, Office of Risk Management**

Consider approval to increase the existing contract with Environmental Technical Services Inc. for air quality testing from \$25,000 to \$40,000 (an increase of \$15,000) to perform statutory air quality testing. The Office of Risk Management commissions independent air quality testing to ensure a healthy work and learning environment. Independent air quality tests are ordered either proactively and on-demand to ensure that air quality meets or exceeds air quality standards set by regulatory agencies.

At the beginning of each fiscal year, the contract amount for ETS is set at \$25,000 to handle projected testing needs. While this initial contract amount is based on the historical average for air testing expenses, this projection is subject to the needs of the District and Colleges.

During FY2013-14, Risk management authorized four (4) Air Quality Studies:

- Laney Tower Re-occupation - Proactive study as a result of the Laney Tower Renovation Project;
- Laney Biology Laboratory, Cold Storage Facility – Mold investigation and remediation project;
- Berkeley City College – Employee air quality complaint;
- District Center, Director of Risk Management Office – Mold remediation project after water intrusion event.

On February 12, 2013, Risk Management ordered an emergency study due to a water intrusion event with suspected mold growth to protect employee health. This emergency response exhausted the current fiscal year budget for air quality testing by (-\$1,800). As a result, Risk Management requests an increase in the contract amount for an additional \$15,000 to cover both previous overage while positioning the District and College to stand ready in addressing any and all air quality testing needs for the remainder of the fiscal year. The Chancellor recommends approval.

Funding Source: General Fund

FINANCIAL SERVICES

19. Consider *Ratification* of the AP, Travel, and Consulting Contract Warrant Register
Presenter: Interim Vice Chancellor Rinne

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register from March 22, 2014 through April 25, 2014. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

20. Review of Purchase Order Report **Presenter: Interim Vice Chancellor Rinne**

The Purchase Order Report is being presented for review in accordance with Education Code Section 81656 which states, "All transactions entered into by the officer or employee (designated employees enumerated in AP 6330) shall be reviewed by the Board of Trustees every 60 days." This Purchase Order Report contains all orders issued from March 22, 2014 through April 25, 2014 which have been issued in accordance with applicable policies, procedures and laws by an authorized officer of the District. The Purchase Order Report is brought to the Board for informational purposes only.

21. Consider Approval of Budget Transfer Report **Presenter: Interim Vice Chancellor Rinne**

Consider approval of budget transfer report covering the period from March 22, 2014 through April 25, 2014. California Code of Regulations Section 58307 limits the District's expenditures to the amount appropriated for each major expenditure classification as approved by the Board of Trustees through the adoption of the District's annual budget or as amended by subsequent budget transfers or revisions. Due to this statutory control language, budget transfers that move budget authority between major object codes or classifications must be approved by the Board of Trustees. The budget transfers presented are requests originating from the Colleges' or District's departments during the ordinary course of operations and do not significantly alter the final budget that was approved by the Board of Trustees on September 10, 2013. The Chancellor recommends approval.

22. Consider Approval of the District's fiscal year 2013-14 third Quarter CCFS-311Q Report **Interim Vice Chancellor Rinne**

Consider approval of the District's fiscal year 2013-14 third quarter CCFS 311Q report. The CCFS-311Q is the State Chancellor's Office Quarterly Financial Status Report summarizing and communicating the results of the budgetary decisions and transactions made by the District through the third quarter of fiscal year 2013-14. The Chancellor recommends approval.

23. Consider Approval of Shamal Stegeman Contract Amendment **Interim Vice Chancellor Rinne**

Consider approval to increase the contract amount for Shamal Stegeman by \$5,000 to provide professional services in the area of payment plans and student account collections. The original contract amount was \$25,000. The new contract amount shall not exceed \$30,000. The contract end date will remain June 30, 2014. Mr. Stegeman was hired to provide services in the area of payment plans and student account collections which included 1098-T tax forms. Due to stricter Internal Revenue Service guidelines, more time and effort was needed than anticipated in the area of 1098-T forms, resulting in this request for increase of the original contract amount. All Board approved contracts are subject to final

negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

24. Consider Approval Vavrinek Trine Day & Co., LLP (VTD) Contract Amendment Interim Vice Chancellor Rinne

Consider approval to amend the purchase order for Vavrinek Trine Day & Co., LLP (VTD) by \$23,700. The previous contract amount was \$135,000 for the June 30, 2013 audit. The amended contract amount shall not exceed \$158,700. During the final audit period, additional federal program audits and reconciliations or re-auditing was required in order to provide an opinion on the financial statements and on compliance with Federal requirements. Therefore, VTD spent additional audit time over and above the original audit proposal for the 2013-2014 fiscal year. In providing these additional services, VTD has discounted their hourly rates by 35% as they were in the process of completing other required areas of the audit. The administration is requesting an increase in the audit contract to reflect this additional amount of time/cost required for the programs audit. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund Unrestricted.**

HUMAN RESOURCES

25. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees **Presenter: Vice Chancellor Largent**

Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate's assignment will not exceed the position title into which the candidate is assigned. The Chancellor recommends approval.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Ahmed	Munira	5/14/14	6/30/14	Admissions & Records Clerk	A
Anding	Nyagia	5/23/14	6/30/14	Inst Asst I/DSPTS	M
Campos	Marcia	5/14/14	6/30/14	Inst Asst IV/DSPTS	A
Cerda	Alejandra	5/14/14	6/30/14	Staff Asst/Facilities Services	M
Harper	Virginia	5/14/14	6/30/14	Staff Asst/VP's Office	A
Ino	Angelica	5/14/14	6/30/14	Senior Clerical Assistant	D
Johnson-Malone	Chandra	5/14/14	6/30/14	Senior Clerical Assistant	L
Jones	Lekeisha	7/1/14	6/30/14	Staff Asst/Employee Relations	D
Roberts	Ronnie	7/1/14	6/30/14	Staff Asst/Employee Relations	D
Ruud	Nicholas	5/14/14	6/30/14	Senior Clerical Assistant	D
Sabri	Maryam	5/16/14	6/30/14	Interpreter, Partially Certified	All
Singer	Judith	5/14/14	6/30/14	Senior Library Technician	M
Tavistock	Rachel	5/14/14	6/30/14	Staff Asst/Admin	D

26. Consider intent of The Peralta Federation of Teachers, AFT Local 1603, to negotiate with the Peralta Community College District contracts for faculty members working under categorical and grant funding, who currently have separate limited-term employment agreements
27. Consider Approval of a Tentative Agreement Between the Peralta Community College District and SEIU Local 1021 Permanent Employees for the 4/10 Summer Work Schedule **Presenter: Vice Chancellor Largent**

Consider Approval of a Tentative Agreement Between the Peralta Community College District and SEIU Local 1021 Permanent Employees for the 4/10 Summer Work Schedule. The District shall be closed to the public on Fridays commencing on June 13, 2014 through August 1, 2014. District classified employees will work a 10-hour workday, Monday through Thursday, from June 9, 2014 until August 1, 2014. Exception: Classes are in session on Thursday July 3, 2014. Thus, the District will be open for business. Therefore, during the week of June 30, 2014, employees will work a regular 5-day, 8-hour work week, with Friday, July 4, 2014 off, in observance of the holiday. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

28. Consider Approval of a Tentative Agreement Between the Peralta Community College District and IUOE, Stationary Engineers Local 39 for the 4/10 Summer Work Schedule **Presenter: Vice Chancellor Largent**

Consider Approval of a Tentative Agreement Between the Peralta Community College District and IUOE, Stationary Engineers Local 39 for the 4/10 Summer Work Schedule. The District shall be closed to the public on Fridays commencing on June 13, 2014 through August 1, 2014. District classified employees will work a 10-hour workday, Monday through Thursday, from June 9, 2014 until August 1, 2014. Exception: Classes are in session on Thursday July 3, 2014. Thus, the District will be open for business. Therefore, during the week of June 30, 2014, employees will work a regular 5-day, 8-hour work week, with Friday, July 4, 2014 off, in observance of the holiday. Any contract approval is subject to negotiation and execution by the Chancellor. The Chancellor recommends approval.

FACILITIES

29. Consider Approval to enter into an Agreement with 4LEAF, Inc. for Project Inspection Services on the Laney College Breezeways Pavement Rehabilitation Project (Bid No.: 13-14/15) and the Leak Remediation for Laney College Buildings A, B, C, D, E, & G (Bid No.: 13-14/22). **Presenter: Vice Chancellor Ikharo.**

Approval is requested to enter into an agreement with 4LEAF, Inc. for Project Inspection Services for the Laney College Breezeways Pavement Rehabilitation Project (Bid No.: 13-14/15) and the Leak Remediation for Laney College Buildings A, B, C, D, E, & G (Bid No.: 13-14/22), in the amount not-to-exceed \$50,000. The two projects, while independent, will be occurring on the Laney Campus during the

same time period. The scope of inspection services by 4LEAF, Inc. shall include all the requirements indicated in the contract construction documents to complete and close-out this project.

The vendor's primary role will be to provide quality assurance and represent the best interests of the District. They will perform this role through the following activities: provide daily inspection and documentation of job related activities; monitor and document contractor work for adherence to the contract plans and specifications; identify, document, and report any deviations from the construction documents; coordinate schedules for testing and surveying; document information related to contractor manpower, equipment and time; provide pictorial logbook of construction activities; attend all necessary meetings; participate in the punch list process; and other activities as required.

To procure this service, the Department of General Services (DGS) sent a Request of Proposal to nine (9) professional inspection companies, only three (3) firms submitted a proposal: 4LEAF, Inc., Anthonio Inc., and Sonika Corporation. As required by the Request of Proposal, each firm's proposal was assessed based on the following evaluative criteria: 1) proposal and experience, 2) client references, 3) price proposal, 4) environmentally sustainable procurement, and 5) Small Local Business Enterprise (SLBE) / Small Local Emerging Business Enterprise (SELBE). In compliance with the Public Contract Code, the District can award this contract to the bidder whose proposal is determined to be the best value to the District based solely on the criteria set forth in the Request for Proposal. The total scores for the three (3) vendors are as follows.

The following are the total scores from three (3) firms:

CONTRACTORS	LOCATION	SCORE
1. 4LEAF, Inc.	Pleasanton, CA	247
2. Anthonio, Inc.	Oakland, CA	232
3. Sonika Corporation	Fremont, CA	184

4LEAF, Inc. is located in Pleasanton, California; Kevin Dugan is the principal of the company. All Board approved contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

- 30. Consider Approval of Resolution 13/14-60, Accept Bid and Award Contract for the Leak Remediation for Laney College Buildings A, B, C, D, E, & G Project (Bid No. 13-14/22), Valentine Corporation. Presenter: Vice Chancellor Ikharo.

Approval is requested to accept the bid and award a contract to Valentine Corporation, for the Leak Remediation for Laney College Library/LRC Skylights and Buildings A, B, C, D, E, & G Project (Bid No. 13-14/22), in the amount not-to-exceed \$2,339,369. Under this contract, the Valentine Corporation will perform all work per the contract documents prepared by Gale & Associates. The construction scope of work will include but not limited to the following: removal of existing concrete topping slab, planter landscaping and soil, existing waterproofing

and flashing as described in the contract documents at selected courtyards and walkways on the Laney College Campus; install new PVC waterproofing and drainage system; installation new concrete topping slab for the selected courtyards and walkways; apply new waterproofing sealer to selected existing concrete walls and seating; performance epoxy injection repairs in the Men’s and Women’s Locker and Fitness Room.

A formal request for Bids (13-14/22) was conducted for this project, and a bid opening was held on April 22, 2014. Two (2) bids were received, as follows:

CONTRACTOR	LOCATION	TOTAL BID
Valentine Corporation	San Raphael, CA	\$2,339,369
J. A. Gonsalves & Sons	Napa, CA	\$2,602,862

During the bid-walk, about nine (9) vendors attended and walked through the proposed sites, but only two vendors actually submitted final sealed bids. The lowest responsible and responsive bid was submitted by the Valentine Corporation, in the amount not-to-exceed \$2,339,369. Robert and Madeline Valentine are principals of the Valentine Corporation and the business has a current and active contractor’s license in California with good standing. The firm is registered with the California Department of Consumer Affairs – Contractors State License Board (license no. 229225). All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

- 31. Consider Approval of Amendment No. 1 to the Original Agreement with Gale Associates to Provide Additional Construction Design and Specification Services and Landscape Design Services for Waterproofing and Water Intrusion Remediation at Laney College. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for Amendment No. 1 to the original Agreement with Gale Associates for the Waterproofing and Water Intrusion Remediation at Laney College, in the amount not-to-exceed \$22,278. Both the landscape design services and construction design and specification services for core drilling were not included in the original contract and scope of work. After project coordination with the college stakeholders, and extensive testing, additional leaks were discovered. Sixteen (16) concrete core drillings were required to accurately trace the various sources of water leaks that permeated from the upper courtyards on the Laney College Campus. The fee will pay for the sixteen (16) concrete core drilling and for the landscape design services, which will include but is not limited to the following: provide landscaping design, design irrigation systems, new soil profile, and plant material selection for reconstruction of the refurbished campus courtyard planters.

The original contract agreement for Gale Associates was approved on September 24, 2013 in the amount not to-exceed \$99,500. All contract amount including the original contract agreement and this Amendment No. 1 total \$121,778. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure A Bond Fund.**

32. Consider Amendment No. 1 to the Contract Services with KONE Inc., Elevator Company for a District-wide Integrated Premium Services. **Presenter: Vice Chancellor Ikharo.**

Approval is requested for an Amendment No. 1 for District-wide elevator inspection contingency to pay for parts and labor for Berkeley City College, College of Alameda, Laney College, and Merritt College, in an amount not-to-exceed \$55,693.00. This requested amount will also pay for the yearly price adjustment for their services that was excluded in the original agreement for Berkeley City College. The elevators in our colleges have aged and optimum performance has declined over the past 45 years and has become inefficient and often breaks down. This situation has adversely impacted access for all that need this service. This Amendment No. 1 will pay for time, labor and materials as the original contract was only for preventive maintenance.

Contracts	Amount
1. Berkeley City College	\$10,693.00
2. College of Alameda, Laney College, and Merritt College	\$45,000.00
TOTAL:	\$55,693.00

Currently, KONE Inc. has two separate aforementioned contracts with the District for elevator inspection and maintenance programs. At the District's discretion, the requested amounts will be used on an as-needed basis; the funds will be encumbered per fiscal year. The requested amount will pay for exclusionary and obsolete items or services, and refinishing, repairing, replacing or cleaning of car enclosure, motor generators, machines, and so forth not included in the original contracts. Other exclusionary items include vandalism, abnormal wear and tear, damages from fire, earthquakes, or natural disasters.

The original agreement for the elevator inspection and maintenance program for College of Alameda, Merritt College, and Laney College, is for a three-year term in the amount of \$151,849.68, approved on September 10, 2013; whereas, the contract for Berkeley City College is for 4-1/2 years, in the amount of \$76,950. Including Amendment No. 1 of \$55,693.00, the total contract amount will be \$284,492.70 for all contracts. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: General Fund.**

33. Consider Approval of Amendment No. 1 for Additional Service for Gelfand Partners Architects (Gelfand) to Provide an Engineering Site Surveying for the Laney College Child Development Center. **Presenter: Vice Chancellor Ikharo**

Approval is requested for Amendment No. 1 for an additional service agreement for Gelfand Partners Architects to provide an engineering site surveying for the Laney College Child Development Center (CDC), in the amount not-to-exceed \$3,300. This project includes the design and install for a new exterior play yard. The area identified for the play yard is on a slope and requires an engineering site survey. The scope of work for the site survey includes the following: provision of topographic survey including finish floor elevation; location of fences, buildings, light poles, walkways, and perimeter of fixed play structure; and deliverables will include CAD files in AutoCAD format and PDF print.

The original contract agreement for Gelfand Partners Architects was approved on January 21, 2014, in the amount not to-exceed \$63,260. Including this additional service amendment, the total contract agreement will be \$66,560. All Board recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Child Development Fund (Fund 68)**

34. Consider Approval to Enter into an Agreement for Construction Management Services for District-wide Emergency Projects with Olive Construction. **Presenter: Vice Chancellor Ikharo**

Approval is requested to enter into an agreement with Olive Construction Management to provide construction management services for District-wide Emergency Projects, in the amount not-to-exceed \$146,520. Olive Construction Management demonstrated a comprehensive understanding of the scope of work and the hours required to manage the emergency projects concurrently. The following six (6) District-wide Emergency Projects need construction management services: College of Alameda Roadway and Parking Repairs and Replacement, Merritt College (Building D) Stairway Replacement, Laney College Waterproofing and Leak Remediation, District-wide Emergency Blue Phones, Laney College Chemistry Labs Ventilation System, Laney College Breezeway Project, and Laney College Replacement & Upgrade of Chiller Plant Boilers.

The following are the total scores from three (3) firms:

CONTRACTORS	LOCATION	SCORE	SLBE/SELBE
1. Olive Construction Management Inc.	El Cerrito, CA	243	N/A
2. Miller Associates	Oakland, CA	234	N/A
3. APSI Construction Management	Oakland, CA	220	SLBE/SELBE

Olive Construction Management Inc. is a small business owned by Olivia Rocha. This business is owned by a minority woman located in El Cerrito, CA. All Board

recommended contracts are subject to negotiation and execution by the Chancellor. The Chancellor recommends approval. **Funding Source: Measure E Bond Funds.**

35. Consider approval of Measure A Bond Budget Transfers and Appropriations for the B.E.S.T. Center Project at Laney College (No. 63), Merritt College CHW Infrastructure Project (No. 66), Emergency Facilities Repairs and Replacement Projects Phase I (No. 67), Measure A Overhead (No. 68), and Leak Remediation at Laney College (No. 69) **Presenter: Vice Chancellor Ikharo.**

Approval is requested for several budget transfers and appropriations. Staff has obtained agreements from the College Presidents, Vice Chancellor of Finance and Administration, Vice Chancellor of General Services and the Chancellor) for this budget transfer and appropriation for the May 13, 2014 Board meeting. On June 23, 2009, the Board of Trustees approved the Bond Measure (A and E) Spending Plan, which included budget appropriations, cash flow projections and budget transfer procedures.

Budget Transfer No. 63 (\$500,000) is from Measure A bond fund, which will pay for the current additional project costs for the B.E.S.T. Center at Laney College. This project costs include construction administration, construction cost and contingencies, and other miscellaneous project costs. Currently, \$464,978.55 is the total estimated budget cost for architectural design services, commissioning engineering services, advertisement, Division of the State Architect’s fees, environmental and engineering services, and other soft costs. This transferred amount will come from the Laney Building Modernization project account (#2314) and Utility Infrastructure project account (#2423) and deposited into the existing New B.E.S.T. Sustainability Building project account (#2437).

Budget Transfer No. 63

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2437	New Sustainability Bldg (B.E.S.T. Center)	\$4,550,331	\$5,050,331	\$500,000
	Total Transfer			\$500,000
Transfer From:				
2314	Laney Bldg Modernization	\$24,042,216	\$23,942,216	\$100,000
2423	Infrastructure-Utilities	\$492,039	\$92,039	\$400,000
	Total Transfer			\$500,000

Budget Transfer No. 66 (\$335,000) is from Merritt College Measure A Unallocated Funds, which will pay for change orders generated by the Merritt College CHW Infrastructure Project. As a standard practice, the District allots a 10% contingency of the original contract amount to cover for change orders and additional services. This transfer amount is requested because a contingency was not included in the initial project budget planning. The transfer amount is 9.8 percent (9.8%) of the original construction contract amount of \$4,076,000. Change orders created were due to unforeseen site conditions and unaddressed design elements in the construction documents and specifications. Four (4) change orders were submitted and approved by the Governing Board of Trustees, totaling \$271,385.

Measure A Budget Transfer No. 66

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2355	Merritt Utility Infrastructure	\$7,825,000	\$8,160,000	\$335,000
	Total Transfer			\$335,000
Transfer From:				
2428	Merritt-Contingency	\$566,492	\$231,492	\$335,000
	Total Transfer			\$335,000

Budget Transfer No. 67 (\$2,594,300) is from Measure E Unallocated Funds transferred into a new project account no. 2733 to pay for Emergency Facilities Repairs and Replacement Projects Phase I at Merritt College, Laney College and College of Alameda. The emergency projects were approved by the Chancellor on February 25, 2014 and ratified by the Governing Board of Trustees on March 11, 2014.

Measure E Budget Transfer No. 67

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2733	2014 District-wide Emergency Projects	-	\$2,594,300	\$2,594,300
	Total Transfer			\$2,594,300
Transfer From:				
-	Measure E Unallocated Funds	\$4,449,078	\$1,854,778	\$2,594,300
	Total Transfer			\$2,594,300

Budget Transfer No. 68 (\$1,388,026) is from Measure A Unallocated Funds and seven (7) completed projects to fund payroll for Measure A Overhead, account no. 2300.

Measure A Budget Transfer No. 68

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2300	Measure A Overhead	\$14,000,000	\$15,388,026	\$1,388,026
	Total Transfer			\$1,388,026
Transfer From:				
2321	District Center Renovation Phase II	\$1,563,034	\$1,853,494	(\$290,460)
2343	GSA Lot Lighting, Walkway	\$1,650,000	\$1,619,245	\$30,755
2359	HVAC for Main District Office	\$1,700,000	\$1,446,376	\$253,624
2326	District-wide Lighting	\$500,000	\$518,690	(\$18,690)
2340	Paving & Parking Meters	\$1,584,669	\$1,584,914	(\$245)
2344	District-wide Boilers & Energy	\$2,235,000	\$2,146,450	\$88,550
2351	District-wide Drinking Fountains	\$825,992	\$454,673	\$371,319
	Measure A Unallocated Funds	\$953,173	-	\$953,173
	Total Transfer			\$1,388,026

Budget Transfer No. 69 (\$1,347,678) is from the existing California Solar Initiative (CSI) Rebate Revenues and Measure E Unallocated fund to pay for the Leak Remediation for Laney college Buildings A, B, C, D, E, and G. This budget amount will pay for the construction cost, landscape architectural services, construction support, construction management, and construction contingencies and other miscellaneous project costs.

Measure A & E Budget Transfer No. 69

#	Project Name	Current Budget	Revised Budget	Transfer Amount
Transfer To:				
2465	Laney Waterproofing & Water Intrusion Remediation	\$99,500	\$121,778	\$22,278
2733-02	Laney Waterproofing & Water Intrusion Remediation	\$1,600,000	\$2,925,400	\$1,325,400
	Total Transfer			\$1,347,678
Transfer From:				
	CSI Solar Rebate Revenues	\$977,304	-	\$977,304
	Measure E Unallocated	\$1,854,778	\$1,484,404	\$370,374
	Total Transfer			\$1,347,678

The Chancellor recommends approval. **Funding Source: Measure A & E bond funds.**

ACTION CALENDAR ITEMS

The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. The Board may move to the Action Calendar items with public speakers, and Board-sponsored Resolutions. The Board will hear public comments prior to taking any action on these items.

ANNOUNCEMENTS

ADJOURNMENT

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk, Chancellor's Office, 333 East 8th Street, Oakland, CA, (510) 466-7203, bmartinez@peralta.edu at least 48 hours prior to the meeting.